

110TH CONGRESS
2D SESSION

H. R. 6159

AN ACT

To provide for a land exchange involving certain National Forest System lands in the Mendocino National Forest in the State of California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Deafy Glade Land Ex-
3 change Act”.

4 **SEC. 2. LAND EXCHANGE, MENDOCINO NATIONAL FOREST,**
5 **CALIFORNIA.**

6 (a) LAND EXCHANGE REQUIRED.—If Solano County,
7 California (in this section referred to as the “County”)
8 conveys to the Secretary of Agriculture all right, title, and
9 interest of the County in and to four parcels of land con-
10 sisting of a total of approximately 160 acres identified on
11 the map entitled “Fouts Springs-Deafy Glade Federal and
12 Non-Federal Lands” and dated July 17, 2008, the Sec-
13 retary shall convey to the County, in exchange, all right,
14 title, and interest of the United States in and to the parcel
15 of land in the Mendocino National Forest in the State of
16 California (including any improvements on the land) com-
17 prising approximately 82 acres and known as the Fouts
18 Springs Ranch, as also depicted on the map.

19 (b) AVAILABILITY OF MAP.—The map referred to in
20 subsection (a) shall be on file and available for public in-
21 spection in the Office of the Chief of the Forest Service.
22 With the agreement of the County, the Secretary may
23 make technical corrections to the map and the legal de-
24 scriptions of the land to be exchanged under this section.

25 (c) LAND EXCHANGE PROCESS.—Section 206 of the
26 Federal Land Policy and Management Act of 1976 (43

1 U.S.C. 1716) shall apply to the land exchange under this
2 section.

3 (d) SURVEY AND ADMINISTRATIVE COSTS.—The
4 exact acreage and legal description of the land to be ex-
5 changed under subsection (a) shall be determined by a
6 survey satisfactory to the Secretary. The costs of the sur-
7 vey and any administrative costs related to the land ex-
8 change shall be borne by the County.

9 (e) CONDITION ON USE OF CONVEYED LAND.—As
10 a condition of the conveyance to the County under sub-
11 section (a), the County shall agree to continue to use the
12 land acquired by the County under such subsection for
13 purposes consistent with the purposes listed in the special
14 use authorization for the Fouts Springs Ranch in effect
15 as of the date of the enactment of this Act.

16 (f) EASEMENT AUTHORITY.—The Secretary may
17 grant an easement to provide continued access to, and
18 maintenance and use of, the facilities covered by the spe-
19 cial use authorization referred to in subsection (e) as nec-
20 essary for the continued operation of the Fouts Springs
21 Ranch conveyed under subsection (a).

22 (g) MANAGEMENT OF ACQUIRED LAND.—The lands
23 acquired by the Secretary under subsection (a) shall be
24 added to and administered as part of the Mendocino Na-
25 tional Forest and managed in accordance with the Act of

1 March 1, 1911 (commonly known as the Weeks Act; 16
2 U.S.C. 480 et seq.) and the laws and regulations applica-
3 ble to the National Forest System.

4 (h) ADDITIONAL TERMS AND CONDITIONS.—The
5 land exchange under subsection (a) shall be subject to
6 such additional terms and conditions as the Secretary and
7 the County may agree upon.

8 **SEC. 3. SALE OR EXCHANGE OF NOAA PROPERTY IN NOR-**
9 **FOLK, VIRGINIA.**

10 (a) IN GENERAL.—The Secretary of Commerce may
11 sell or exchange to the City of Norfolk, Virginia, in accord-
12 ance with chapter 13 of title 40, United States Code, real
13 property under the administrative jurisdiction of the Na-
14 tional Oceanic and Atmospheric Administration (in this
15 section referred to as “NOAA”), including land and im-
16 provements thereon, located at 538 Front Street, Norfolk,
17 Virginia, consisting of approximately 3.78 acres, if the
18 Secretary—

19 (1) determines that the conveyance is in the
20 best interests of NOAA and the Federal Govern-
21 ment; and

22 (2) has provided prior notification to the Com-
23 mittee on Natural Resources and the Committee on
24 Appropriations of the House of Representatives and
25 the Committee on Commerce, Science, and Trans-

1 portation and the Committee on Appropriations of
2 the Senate.

3 (b) CONSIDERATION.—

4 (1) IN GENERAL.—For any conveyance under
5 this section the Secretary shall require the City of
6 Norfolk to provide consideration to the United
7 States that is not less than the fair market value of
8 the property conveyed by the United States.

9 (2) FORM.—Consideration under this sub-
10 section may include any combination of—

11 (A) cash or cash equivalents;

12 (B) other property (either real or per-
13 sonal); and

14 (C) consideration in-kind, including—

15 (i) provision of space, goods, or serv-
16 ices of benefit to NOAA including con-
17 struction, repair, remodeling, or other
18 physical improvements of NOAA property;

19 (ii) maintenance of NOAA property;

20 (iii) provision of office, storage, or
21 other useable space; or

22 (iv) relocation services associated with
23 conveyance of property under this section.

24 (3) DETERMINATION OF FAIR MARKET
25 VALUE.—The Secretary shall determine fair market

1 value for purposes of paragraph (1) based upon a
2 highest- and best-use appraisal of the property con-
3 veyed under subsection (a) conducted in conform-
4 ance with the Uniform Appraisal Standards for Pro-
5 fessional Appraisal Practice.

6 (c) USE OF PROCEEDS.—Amounts received under
7 subsection (b)(2)(A) by the United States as proceeds of
8 any conveyance under this section shall be available to the
9 Secretary, subject to appropriation, for—

10 (1) activities related to the operations of, or
11 capital improvements, to NOAA property; or

12 (2) relocation and other costs associated with
13 the sale or exchange.

14 (d) ADDITIONAL TERMS AND CONDITIONS.—The
15 Secretary may require such additional terms and condi-
16 tions in connection with the conveyance of property by the
17 United States under subsection (a) as the Secretary con-
18 siders appropriate to protect the interest of the United
19 States, including the recoupment of any profit the City
20 of Norfolk may realize within three years after the date
21 of conveyance to the City due to resale of the property

22 (e) TERMINATION.—The authority granted to the
23 Secretary under subsections (a) and (b) shall terminate
24 at the end of the 24-month period beginning on the date
25 of enactment of this Act if no contract for sale or exchange

1 under subsection (a) has been entered into by the City
2 of Norfolk and the United States.

Passed the House of Representatives September 22,
2008.

Attest:

Clerk.

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